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REPORT

OF THE

BOARD OF PUBLIC WORKS.

STATE OF WEST VIRGINIA,
OFFICE OF THE BOARD OF PUBLIC WORKS,
Wheeling, March 2d, 1868.

To the Senate and House of Delegates:

The Board of Public Works respectfully submit the following report of their action under the act of the Legislature, passed February 19th, 1867, entitled "An Act to amend and re-enact the Act entitled 'An Act to authorize the Board of Public Works to audit claims against the State of Virginia,' passed February 28, 1866."

The Board, on the 17th day of June, 1867, caused to be published in the newspapers throughout the State, a notice that they would proceed, on the 15th day of July, 1867, and thereafter until the 1st day of November, 1867, to receive proof of and audit such claims as they were required to audit by the provisions of the aforesaid act; which notice also contained rules of evidence for the guidance of persons who should present claims for their action, a copy of which notice is hereto annexed as part of this report. Very few claims were presented until near the time fixed by the Board as the period after which they would receive no more, to wit: November 1st, 1867; about which time, however, a large number were presented, and the Board proceeded to examine them, and found that but one of them was proven so as to authorize it to be audited under the provisions of the Act. The Board immediately caused the claims that were not fully proven to be sent back to the respective claimants, or their agents, with statements of the proof that was wanting, and which must be supplied before they could be audited. The greater part of these claims have been returned to the Board since the commencement of the present session of the Legislature, with such additional evidence as the persons interested have deemed necessary, and some additional ones have also been presented; and action has now been taken on all of them. The Board makes this statement in explanation of what other-

wise might be regarded as unreasonable delay on their part in reporting upon these claims.

As may be seen from the statement hereto annexed, the Board have divided the claims presented for their action into four classes.

CLASS I contains claims against the State of Virginia proper.

CLASS II contains such as are in name against the Board of Public Works of Virginia, but in fact against the State; inasmuch as the Board of Public Works, as the agent of the State, and by its authority, incurred the liabilities.

CLASS III contains such as are against turnpike companies incorporated on what is called in the Act "the two and three-fifths principle."

CLASS IV contains such as, in the opinion of the Board, are either not sufficiently proven or not comprehended by the law.

The undersigned are not advised as to the intention of the Legislature in passing the Act under which their action in the premises has been had; whether it was with a view to a settlement with the State of Virginia, or to provide for the payment of the claims, or for some other purpose; and therefore they will not express any opinion which they may entertain as to the justice of the claims, or the propriety of paying the same, or any class of thereof; nor are they advised of the intention of the Legislature in restricting the action of the Board to claims owned by persons who were within the limits of this State on the 17th day of April, 1861, and on the day of the passage of the Act; but supposing that the purpose was to confine the benefits of the Act to those who were loyal to the United States and the State during the time elapsing between the dates mentioned, they have, in making a statement of the claims, noted those claimants who, they are informed, participated in the rebellion.

A. I. BOREMAN,
Governor, and ex officio President.

JOHN S. WITCHER,
Sec'y of Board of Public Works.

CLASS I.

1. Wm. Adamson, bond issued by the Commonwealth of Virginia to the Franklin and Circleville Turnpike Co., dated Nov. 24th, 1860, interest from July 1st, 1860, and redeemable January 1st, 1894, (no evidence of transfer by said company) ..... $ 100 00
2. James H. Brown, bond issued by the Commonwealth of Virginia to said Brown, dated Jan. 22d, 1859, interest from Jan. 1st, 1859, redeemable Jan. 1st, 1893 ..... 800 00
3. James H. Brown, President, bond issued by the Commonwealth of Virginia to said Brown, President, Oct. 25th, 1860, interest from July 1st, 1860, redeemable Jan. 1st, 1860 ..... 700 00

CLASS II.

1. Fenelon Howes, late Superintendent of Staunton and Parkersburg Turnpike Co., for money expended above tolls received 254 64
   Due January 1st, 1861.
2. John Yoakem, for work done on Staunton and Parkersburg Turnpike 33 04
   Due January 1st, 1861.
3. George S. Groves, for repairing aforesaid road 46 00
   Due January 1st, 1861.
4. Joseph S. Wilson, for work on same road 45 00
   Due May 1st, 1861.
5. James V. Skidmore, for work on said road 35 25
   Due November 12th, 1860.
6. Oliver Teter, for work on Staunton and Parkersburg road 8 00
   Due August 1st, 1860.
7. Wm. H. H. Weaver, for work, &c., on Staunton and Parkersburg road 27 00
   Due November 20th, 1860.
8. Marshall Stalnaker, for repairs on said road 61 78
   Due September 15th, 1860.
9. Charles M. Groves, for work and material furnished Staunton and Parkersburg road 80 00
   Due May 9th, 1861.
10. Emile Vignesney, for tools made for Staunton and Parkersburg road 9 03
    Due August 25th, 1860.
11. Lydia Jackson, administratix of Henry J. Jackson, dec'd, for work on Staunton and Parkersburg Turnpike 1727 56
    Due January 1st, 1860.
12. Loren M. Howes, for work on Staunton and Parkersburg Turnpike 25 50
    Due December 1st, 1860.

13. Randolph Wilmoth, for work on said S. and P. road 52 00
Due December 1st, 1860.

14. Lewis Shafer, for work on Staunton and Parkersburg road. 71 24
Due January 1, 1861.

15. Collins Betz, assignee of Enoch T. Withers, Treasurer, draft on Board of Public Works of Va., dated Nov. 22, 1866, for State stock in Ritchie rnd Gilmer Turnpike Company 200 00

16. Patrick Rafferty, draft on Board of Public Works of Va., dated Nov. 19, 1856, for State stock in Ritchie and Gilmer Turnpike Co. 200 00

17. Eli Baker and Isaac Baker, for work done on the Staunton and Parkersburg Turnpike 279 74
Due December 28, 1859.

CLASS III.

1. F. Y. Horner, late Treasurer Clarksburg and Wheeling Turnpike Co., for amount expended above receipts and work done 263 53
Due January 1, 1861.

2. Wm. Hawker, Treasurer Clarksburg and Wheeling Turnpike Co., for per centage on receipts, and for services as member of Board of Directors 70 67
Due January 1, 1861.

3. James W. Janes, clerk Clarksburg and Wheeling Turnpike Co., for services as clerk 21 87
Due December 8, 1853.

Same for services as clerk of said company 21 87
Due January 6, 1854.

Same, for same services 63 63
Due January 27, 1856.

And same, for money expended on said road 13 62
Due August 31, 1860.

4. James Hawker, for work on the Clarksburg and Wheeling Turnpike 373 25
Due June 1, 1861.

5. G. W. Martin, for damages by reason of location of Clarksburg and Wheeling Turnpike, and services as member of Board of Directors 108 00
Due April 1, 1861.

6. Enoch Hess and W. H. Martin, for work on aforenamed Turnpike 66 00
Due December 20, 1860.

7. M. D. Martin, for work on Clarksburg and Wheeling T. P. Co. 148 75
Due June 1, 1861.

8. A. Hess, for services as member Board Directors of Clarksburg and Wheeling T. P. Co., balance on account 5 00
Due June 1, 1861.

9. Andrew Ice, for services in locating a portion of Clarksburg and Wheeling Turnpike Due December 20, 1860.		39 00
9½. James Y. Horner, for work on Clarksburg and Wheeling T. P. Co. Due July 2, 1853.		336 00
Same, for services to said company Due December 28, 1860. But subject to a credit paid July 10, 1861	$200 00	205 69
10. G. W. Martin, Jr., for work on said road, and damages for its location Due June 1, 1861.		$655 50
11. Wm. E. Lyon, for work and repairing said road Due October 1, 1860.		100 00
12. James Furbee, for work on Clarksburg and Wheeling Turnpike Co., and services as member of Board Directors Due October 26, 1860.		541 00
13. James L. Brand, for services rendered as member of Board of Directors, Clarksburg and Wheeling T. P. Co. Due June 1, 1861.		20 00
14. Nathan Baker, for work on Clarksburg and Wheeling Turnpike Co. Due June 1, 1861.		132 25
15. James M. Lyon, for services as Superintendent and Engineer of Clarksburg and Wheeling T. P. Co. Due December 28, 1860.		60 75

REMARKS.—It appears from the evidence filed with the papers of this class, from No. 1 to No. 15, inclusive, that after the increase of the capital stock of said turnpike company, which is chartered on the two and three-fifths prniciple, that there was paid into the treasury of said company, by individual stockholders, the sum of $1,987 32, and that the Commonwealth of Virginia did not pay her corresponding share in proportion.

16. H. D. Chapman and B. H. Hichol, for work done on the Branch road connecting Spencer with Charleston and Braxton Turnpike Due June 1, 1861.		300 00
17. Collins Betts, for services as Superintendent of the Ritchie and Gilmer Turnpike Company Due October 8, 1859.		63 00
18. Patrick Rafferty, for work done on the Ritchie and Gilmer Turnpike Due November 22, 1856.		475 00

18½. William Hunter, for damages allowed him on account of Williamsport Turnpike location, $112, subject to a credit of $50 ---------- Due June 19, 1850.	62 00
19. Charles Meserve, assignee of John Dotson, for work done on the Salem and Harrisville Turnpike -- Due July 21, 1856.	340 00
20. Administrators of John A. Lowther, dec'd, assignee of John Parker, for work on Salem and Harrisville Turnpike ---------- Due September 1, 1856.	150 00
Same, assignee of Joseph Wilson, for work on road ----------	70 00
Same, assignee of Ezekiel Kelley, for work on same road ---------- Due January 7, 1856.	101 00
Same, assignee of Jno. Parker, for work on same. Due September 26, 1856.	10 50
Same, assignee of Jac. Alexander, for same ------ Due November 15, 1856.	51 00
Same, assignee of Nathan Snodgrass, for same --- Due September 18, 1857.	50 00
Same, assignee of George Price, for same -------- Due March 3, 1858.	100 00
Same, assignee of Nathan J. Snodgrass, for $25—credit $15—for same ---------- Due October 27, 1859.	10 00
	$542 50
21. Miles King, for work on West Union Turnpike -- Due December 30, 1856, subject to a credit of $150 paid April 10, 1859, and $10 May 10, 1859.	352 09 60 00
Balance ----------	292 09
22. David Shafer, for work done on the Plesant Valley and Tunnelton Turnpike ---------- Due August 28, 1856.	148 98
23. John Dunn, for work on the last named road, for $223 58 and $10 70 ---------- Due July 12, 1855.	234 28
24. James Dunn, for work on last named road for ---- (No date given.) Due April 17, 1861.	80 19
25. Ashford Brown, assignee of Henry Martin, for work on Pleasant Valley and Tunnelton Turnpike ---------- Due March 4, 1857.	74 54
26. Isaac W. Cobun, for work done on the Pleasant Valley and Tunnelton Turnpike ---------- Due August 5, 1856.	36 25
27. Wm. J. Lowther, for services as Superintendent of the Salem and Harrisville Turnpike ---------- Due October 19, 1859.	30 00

28. Archibald Lowther, for services as Director of the Salem and Harrisville Turnpike Company---- Due September 20, 1860.		6 00
29. Administrator of Alexander Lowther, Sr., dec'd, for balance of per centage as collector on Salem and Harrisville Turnpike---------- Due September 20, 1860.		23 90
30. Tho. S. Gray, for printing, &c., for Salem and Harrisville Turnpike Company ---------- Due April 21, 1855.		7 75
31. J. D. Davisson, assignee of Eli Davis, for work on Salem and Harrisville Turnpike---------- Due November 16, 1857.		51 00
32. Eli Davis, assignee of John Ronk, for work on Salem and Harrisville Turnpike----------$ Due June 14, 1856.	90 00	
Same, assignee of Jerial Sutton, for work on same road ---------- Due November 15, 1857.	58 00	148 00
33. Joshua Pearcy, for work done on Salem and Harrisville Turnpike---------- Due December 26, 1856.		55 86
34. John W. Stinespring, for work done on Salem and Harrisville Turnpike---------- --- Due May 5, 1856.	230 00	
Same, for work on said road---------- Due June 29, 1857.	110 43	340 43
35. E. Bee, assignee of Elijah Summers, for work on Salem and Harrisville Turnpike---------- Due July 28, 1856.	68 00	
Same, assignee of Wm. Watson, for work on said Turnpike ---------- Due September 2, 1856.	78 00	136 00
33. Jeptha F. Randolph and Rachel B. F. Randolph, administrator of W. F. Randolph, dec'd, for services as Superintendent and Director of Salem and Harrisville Turnpike Company---------- Due September 20, 1860.		21 00
37. Jeptha F. Randolph, for work and repairs on Salem and Harrisville Turnpike---------- Due November 5, 1856.	125 00	
Same, for work on same road, due July 16, 1857-	92 00	
Same, for work on said road, due Dec. 23, 1858--	93 50	
Same, for work on said road, due Nov. 24, 1859--	71 50	
Same, for work on said road, due June 15, 1861--	63 00	$445 00

38. John Smith, administrator of Joseph Smith, dec'd, for work on the West Union Turnpike	100 00	
Due July 9, 1856.		
And same	174 00	
Due October 22, 1856.		
	274 00	
Subject to a credit paid April 25, 1859	85 00	$189 00
39. J. M. Hayden, administrator of John Hayden, dec'd, for judgment vs. the Weston and Fairmont Turnpike Co., for work on said road, for	249 71	
Interest from January 1, 1853, and costs	30 24	279 95
40. George Price, for work done on Reedy and Harrisville Turnpike		300 00
Due November 19, 1855.		
41. Lewis M. Hinchman, for work done in constructing a portion of the Logan, Raleigh and Monroe Turnpike		505 00
Due December 25, 1855.		
42. Administrator of Robert Elkins, for work in constructing a portion of the Logan, Raleigh and Monroe Turnpike		195 00
Due December 25, 1853.		
43. Alexander Lowther, for work on Salem and Harrisville Turnpike	58 00	
Due November 14, 1856.		
Same, assignee of J. R. Sigler, for work on said road	26 50	
Due June 9, 1857.		
Same, assignee of Samuel G. Rogers, for work on said road	24 00	
Due January 10, 1857.		
Same, for services as Secretary of the Board of Directors of Salem and H. T. P. Co	13 25	$121 75
Due September 20, 1860.		
44. Calvin Dotson, assignee of Preston Randolph, for work on West Union Turnpike	370 00	
Due July 21, 1856, subject to the following credits, $150, paid May 20, 1857, and $154 95, paid April 25, 1859	304 00	$66 00
45. E. M. H. Brown, for Macadamizing a portion of West Kingwood and West Union Turnpike		236 88
Due December 1, 1860.		
46. James H. Hinchman, for constructing section 9 of the Logan, Raleigh and Monroe Turnpike, due December 25, 1854, subject to a credit of $30, paid September 26, 1855, $294 50—$30		264 50

47. John Burk, for repairs on the Morgan and Frederick Turnpike; judgment rendered against the Company, January 5, 1861, by M. Duckwell, for		48 50
With interest from date of judgment, and costs,	1 70	
48. Alpheus Norman, for work in constructing the Ritchie and Gilmer Turnpike		2,108 00
Due December 31, 1859.		
49. Francis and John Bergin, for work on the Hardy and Randolph Turnpike		638 61
Due July 1, 1857.		
50. Joseph A. Summers, assignee of Elijah Summers, for work on the Salem and Harrisville Turnpike.		
One account due October, 29, 1860, for	92 00	
" " " November 1, 1860, for	45 00	
		137 00
51. Anawalt & Atchison, for constructing a bridge on Weston and Gauley Bridge Turnpike		313 10
Due June 1, 1860.		
52. S. G. Rogers, for services as proxy for Salem and Harrisville Turnpike Company		6 00
Due November 3, 1855.		

CLASS IV.

1. G. F. Taylor, for services in locating the Charleston, Braxton and Elk River Turnpike. Evidence not sufficient, and papers returned.
2. Butcher & Pritchard, for lumber, work, &c., on Staunton and Parkersburg Bridge, at Weston. Not sufficient evidence of citizenship, and Board are under the impression that this claim has been liquidated by some authority within Lewis county.
3. Blair, Edminston & McCoy, for work on Marlin's Bottom and Lewisburg Turnpike. The Act incorporating such Company not found, and papers returned for additional evidence and information.
4. Alexander Bennett, for draft by Ritchie and Gilmer Turnpike Company on Board of Public Works of Va., for 200 00
   Not sufficiently proven. Draft not filed.
5. John Jones and others, for work on Raleigh and Boone graded road. Papers returned for additional evidence.
6. Felton & Jordon, for extra labor on Maryland and Ohio Turnpike. Claim not of such character as the Board feel authorized to audit.
7. William Watson, for work on Salem and Harrisville Turnpike. No evidence that claim was approved by Directors of the Company.
8. J. M. Bennett, for claim on Gnatty Creek and West Union Turnpike. Papers returned for additional evidence.

9. Stephen Allen, for services on Clarksburg and Wheeling Turnpike. Claim not stated, and no evidence but what the same has been paid 23 00
And no evidence of citizenship.

10. J. W. Boggess, claim against Clarksburg and Wheeling Turnpike 4 00
Claim not stated, and no evidence of citizenship.

11. George B. Harter, claim against Clarksburg and Wheeling Turnpike Company 73 00
Not stated, and no evidence that claim has not been paid. Due October 9, 1859.

12. Boggess & Robinson, claim against Clarksburg and Wheeling Turnpike Company 8 94
Due December 28, 1860. Case not stated, and no evidence of citizenship.

13. Administrator of Truman Gore, deceased, for services as member of Board of Directors of Clarksburg and Wheeling Turnpike 22 00
Due June 27, 1856. Claim not stated, and no evidence that claim has not been paid, and no evidence of citizenship.